

Message Text

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PAGE 01 TAIPEI 02441 280940Z
ACTION EA-09

INFO OCT-01 ISO-00 EB-08 /018 W
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TO USDOC WASHDC
INFO SECSTATE WASHDC 3361

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E.O. 11652: N/A
TAGS: BDIS, TW
SUBJECT: GE APPLIANCE EXPORTS

REF: (A) USDOC 5271; (B) TAIPEI 0776; (C) USDOC 1936; (D) TAIPEI
0671; (E) USDOC 07407

1. IN REPLY TO A LETTER SENT BY ECON/COMM COUNSELOR TO THE
EXECUTIVE YUAN ON WAYFOONG/HO TAI'S BEHALF, SECRETARY GENERAL
OF THE EXECUTIVE YUAN C. C. CHANG WROTE QUOTE:

ACCORDING TO THE CUSTOMS LAW, THE DUTY-PAYING VALUE OF AN IMPORT
IS DETERMINED NOT ON THE BASIS OF ACTUAL TRANSACTIONS BUT BY
REFERENCE TO THE PRICE OF THE MERCHANDISE OR THOSE OF LIKE
MERCHANDISE IN WHOLESALE QUANTITIES AT THE TIME OF THE TRANSACTION
IN A FREE, COMPETITIVE MARKET IN THE COUNTRY OF ORIGIN. THE CUSTOMS
AUTHORITY ACTED WITHIN THE PROVISIONS OF THE LAW WHEN THEY USED THE
PRICE LIST SUBMITTED BY WAYFOONG IN ASSESSING THE DUTY-PAYING VALUE
OF THE APPLIANCES. UNQUOTE.

2. IT IS OUR IMPRESSION THAT THE BASIC PROBLEM IN THIS
CASE WAS THE FILING OF AN INCORRECT PRICE LIST WITH THE
BOARD OF FOREIGN TRADE BY WAYFOONG/HO TAI. THE ROC
CUSTOMS DECISION AND EXECUTIVE YUAN'S REJECTION OF THE
SUBSEQUENT APPEAL APPEARS BASED ON LITERAL APPLICATION
OF ROC REGULATIONS AS MAY BE SEEN FROM LETTER QUOTED
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ABOVE. WE ARE NOT SURE WHY CUSTOMS SO ADAMANT IN THIS
INSTANCE BUT BELIEVE THE MORE GENERAL PROBLEM OF THE
ACCEPTANCE OF GE PRICE QUOTATIONS SHOULD BE APPROACHED
WITHOUT REFERENCE TO THIS CASE. WE WILL ATTEMPT TO
CLARIFY PROBLEM AND REPORT SEPTEL.

3. EMBASSY SEES NO REPEAT NO RELATION BETWEEN GE PROBLEM
AND LAI FU CASE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
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Control Number: n/a
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
Disposition Reason:
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SAS ID: 2843992
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Status: NATIVE
Subject: GE APPLIANCE EXPORTS
TAGS: BDIS, TW
To: COM
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/b8bf2fa7-c288-dd11-92da-001cc4696bcc
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